

REMARKS/ARGUMENTS

STATUS OF CLAIMS

In response to the Office Action dated August 21, 2006, claims 16, 28-30, 36 and 39-41 have been amended. Claims 16-41 are now pending in this application. No new matter has been added.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 102 AND § 103

I. Claims 16-41 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoshimura et al. (USPN 5,596,419) in view of Sakaegi et al. (USPN 5,500,743), for the reasons substantially of record. In view of the subsequent rejection of claims 39-41 under 35 U.S.C. § 103(a) as being unpatentable over Yoshimura et al. (USPN 5,596,419) in view of Sakaegi et al. (USPN 5,500,743), and further in view of Mincy et al., it is believed that the Examiner intended claims 16-38 even though 16-38 was scratched out in the Office Action and 16-41 was written in.

Claims 39-41 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoshimura et al. (USPN 5,596,419) in view of Sakaegi et al. (USPN 5,500,743), and further in view of Mincy et al. (USPN 6,052,508) for the reasons substantially of record.

II. Yoshimura et al. discloses in Fig. 7 that a control signal is transmitted within a system in order to control each component in the system. Yoshimura et al. does not disclose transmission/reception is carried out with an apparatus external to the system.

Sakaegi et al. discloses an image reproduction apparatus reproducing a still image that has been recorded as a video signal (though Sakaegi et al. discloses recording of a still image using a video signal, it does not disclose recording of a video). Sakaegi et al. discloses a system wherein a user provides the system, through remote control, with inputs as to still image processing and displaying.

Though Yoshimura et al. describes that transmission/reception of a control signal is carried out within the system, it does not describe that such transmission/reception is carried out with an apparatus external to the system. Though Sakaegi et al. describes that a control signal is received from an apparatus external to the system, it does not describe that the reception of a control signal and the transmission/reception of a still image are carried out with the same communication port.

Mincy et al. discloses a recording/reproducing device connected to another equipment through an Ethernet interface. However, Mincy et al. fails to disclose that the recording/reproducing device communicates an image, a still image and the like through the interface.

An objective of the present invention is to communicate a command, a still image, a video and the like using one digital network. In the present invention, being different from Sakaegi et al., which provides control with a remote controller merely to display a still image on a monitor in front of a user, apparatus at remote locations are connected through a digital network and when the reproducing apparatus is operated, a command is

sent to the recording apparatus, and corresponding data, such as a still image, is received through the same digital network. Thus, control is achieved through one digital network from the recording and reproducing apparatus at remote locations, and reception of a still image is enabled.

III. The courtesy of the interview conducted on November 28, 2006 is acknowledged and appreciated. The description in the PTOL-413 (Interview Summary) as to what was discussed at the interview is correct. However, the following additional comments are provided.

The above noted differences between the present invention and Yoshimura et al., Sakaegi et al. and Mincy et al., set forth in section II above, were presented at the interview.

With regard to Yoshimura et al. and the fact it does not disclose transmission/reception is carried out with an apparatus external to the system, the Examiner referred to Fig. 7 of Yoshimura et al. and maintained that element 114 can be interpreted as an external apparatus to element 110, and element 110 receives a control signal and then supplies video/audio and data to element 114. However, it was pointed out to the Examiner that elements 110 and 114 would actually represent the recording device recited in claim 16 since the recording device is required to have a still image recording portion, a video recording portion and an information recording portion. In response, the Examiner drew a line enclosing elements 110, 112, 114 and 116. The Examiner was then requested to identify the recited communicating portion. The

Examiner again pointed to the connection between 110 and 114. The Examiner and was advised that such communicating portion is not the claimed communicating portion, since it is now internal communication between different elements of the recording device.

The Examiner then pointed to the connection between 114 and 118. It was pointed out to the Examiner that such communication is not disclosed as being bi-directional. The Examiner noted that claim 16 does not recite a bi-direction communicating portion. However, the Examiner was advised that the recording device of claim 16 receives a command from the communicating portion and transmits any one or a plurality of a still image, a video and information on a correspondence between the still image and the video through the communicating portion, which is bi-directional communication. It was further noted to the Examiner that in Sakaegi et al., the reception element 38 is not disclosed as being bi-directional, as it only receives commands from remote control 36, but nothing is transmitted to remote control 36.

The Examiner then advised that Mincy et al. may teach a communicating portion, even though it was noted that Mincy et al. fails to disclose that the recording/reproducing device communicates an image, a still image and the like through the interface. The Examiner's position was that Ethernet interfaces are well known to provide bi-directional communication and that it is known that a still image, a video and information on a correspondence between the still image and the video (as well as other information/data) can be transferred between devices connected via a network.

IV. To expedite prosecution, independent claim 16 has been amended to recite, *inter alia*:

...

a digital network interface digitally bi-directionally communicating with an external apparatus; and

a command executing portion interpreting a command received from the external apparatus through said *digital network interface* and selectively transmitting one or a plurality of the still image, the video and the information respectively recorded by said still image recording portion, said video recording portion and said information recording portion through said *digital network interface*.

Independent claim 28 has been amended to recite, *inter alia*:

a digital network interface digitally bi-directionally communicating with an external apparatus;

a still image display portion displaying a still image received through said *digital network interface*;

an information receiving portion receiving information on a correspondence between the still image and a video through said *digital network interface*;

a video selection command issuing portion transmitting information capable of selecting the video through said *digital network interface*; and

a video display portion receiving the video corresponding to the still image displayed by said still image display portion through said *digital network interface* for display.

Dependent claim 29 has been amended to recite, *inter alia*:

The reproducing device according to claim 28, further comprising a still image producing portion producing the still image by cutting out the still image from the video in accordance with an instruction of a user.

Dependent claim 30 has been amended to recite, *inter alia*:

The reproducing device according to claim 28, further comprising an instruction issuing portion issuing an instruction for cutting out the still image through said *digital network interface* in accordance with an instruction of a user.

Dependent claim 36 has been amended to recite, *inter alia*:

...said still image display portion retrieves temporal information

from information corresponding to the still image received by the **digital network interface** and displays the temporal information when the still image is displayed.

Independent claim 39 has been amended to recite, *inter alia*:

...

a first **digital network interface digitally bi-directionally** communicating with said reproducing device; and

a command executing portion interpreting a command received from said reproducing device through said first **digital network interface** and selectively transmitting to said reproducing device **one or a plurality of** the still image, the video, and the information respectively recorded by said still image recording portion, said video recording portion, and said information recording portion, and said reproducing device including:

a second **digital network interface digitally bi-directionally** communicating with said recording device;

a still image display portion displaying said still image received through said second **digital network interface**; and

a video display portion receiving a video corresponding to the still image displayed by said still image display portion from said recording device through said second **digital network interface** for display.

Independent claim 40 has been amended to recite, *inter alia*:

...

a **digital network interface digitally bi-directionally** communicating with an external apparatus; and

a command executing portion interpreting a command received from the external apparatus through said **digital network interface** and selectively transmitting one or a plurality of the still image, the video and the information respectively recorded by said still image recording portion, said video recording portion and said information recording portion.

Finally, independent claim 41 has been amended to recite, *inter alia*:

...

a **digital network interface digitally bi-directionally** communicating with an external apparatus; and

a command executing portion interpreting a command received from the external apparatus through said **digital network interface** and selectively transmitting one or a plurality of the still image, the video and the information respectively recorded by said still image recording portion, said video recording portion and said information recording

portion.

Thus, independent claims 16, 28 and 39-41 clearly delineate, *inter alia*, a ***digital network interface digitally bi-directionally*** communicating with an (external apparatus)/(reproducing device). Yoshimura et al., Sakaegi et al. and Mincy et al. do not disclose or suggest such digital network interface digitally bi-directionally communicating with an (external apparatus)/(reproducing device). Therefore, amended independent claims 16, 28 and 39-41, as well as dependent claims 17-28 and 29-36, as amended, are patentable over Yoshimura et al., Sakaegi et al. and Mincy et al., considered alone or in combination. Consequently, the allowance of claims 16-41, as amended, is respectfully solicited.

CONCLUSION

Accordingly, it is urged that the application, as now amended, is in condition for allowance, an indication of which is respectfully solicited. Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Edward J. Wise Reg. No. 34,523 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-

Application No. 09/747,927

Reply to outstanding Office Action dated August 21, 2006

2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly,
extension of time fees.

Date: January 19, 2007

Respectfully submitted,

By 

Michael R. Cammarata

Registration No.: 39,491

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

Attorney for Applicant